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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/855,585  | 05/16/2001  | Henry V. Izzo        | 2280.2720           | 1418             |
| 5514  | 7590        | 08/28/2006           | EXAMINER            |                  |
| FITZPATRICK CELLA HARPER & SCINTO<br>30 ROCKEFELLER PLAZA<br>NEW YORK, NY 10112 |             |                      | JANVIER, JEAN D     |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 3622                |                  |

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## **Miscellaneous Communication**

It appears that the amendment to the claims is not expressly supported in the specification. First, the step of establishing a subset of items, which covers the entire claimed invention starting with claim 1, is not described in the specification related to the PGPUB version of the Instant Application. Second, the step of allowing the consumer to enter a contest code into a prize redemption system, as featured in at least the independent claims, is not supported in the specification. Here, the identification code read from the label of the product provided to the consumer and inputted into a prize redemption system, as described in the specification, is not the same as the contest code since the identification code, contrary to the Applicant's findings, is similar to the UPC code found on product labels. The amendment is so inclusive or invasive that it impedes prosecution such that a patentability determination cannot be made at this time.

In response to this correspondence, the Applicant should indicate where proper support in the specification can be found if he is to maintain the current claim amendment or he can submit another claim amendment. Here, the Applicant is given one month to respond accordingly.

## **Conclusion**

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (571) 272-6719. The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner

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by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (571) 272- 6724.

Non-Official- 571-273-6719.

Official Draft : 571-273-8300

08/16/06

Jean D. Janvier

JDJ

Patent Examiner

Art Unit 3622

JEAN D. JANVIER  
PRIMARY EXAMINER  
